

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES OF AMERICA)
)
v.) NO. 1:08CR239 (GBL)
)
ELAINE ROBERTSON CIONI)

MOTION FOR LEAVE TO FILE ADDITIONAL MOTIONS

COMES NOW the accused, Elaine Robertson Cioni, by counsel, and moves this Court for leave to file additional motions after August 6, 2008, the date set by the Court for filing motions. In support of this motion, Ms. Cioni states the following:

1. On June 12, 2008, Ms. Cioni was indicted on one count of making harassing telephone calls (47 U.S.C. §223), two counts of unlawful access to wire and electronic communications (18 U.S.C. 2701), and one count of unauthorized access to a protected computer (18U.S.C. § 1030). Trial is scheduled for October 14 and 15, 2008 with a jury. A motions hearing is presently set for September 5, 2008. The Court directed that motions be filed on or before August 6, 2008.

2. Discovery in this matter is ongoing. To date, the government has produced reports of investigation and CDs containing records and recordings of over 300 telephone calls. Counsel anticipates receiving a significant amount of additional discovery on or before August 15, 2008, including documents from approximately 60 subpoenas and copies of two computer hard drives.

3. Counsel is unable to determine whether motions should be filed prior to her receipt and examination of the outstanding discovery.

4. The government does not object to extending the time within which defense motions may be filed.

WHEREFORE, Ms. Cioni requests the Court extend the time within which motions may be filed until August 29, 2008.

Respectfully submitted,

ELAINE ROBERTSON CIONI
By Counsel

/s/
Nina J. Ginsberg, Esquire
VSB # 19472
Counsel for Elaine Robertson Cioni
DiMuroGinsberg, P.C.
908 King Street, Suite 200
Alexandria, VA 22314
Phone: 703-684-4333
Fax: 703-548-3181
nginsberg@dimuro.com

CERTIFICATE OF SERVICE

I hereby certify that on August 6, 2008, I will electronically file the foregoing pleading with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to:

Jay Prabhu, Esquire
Assistant U.S. Attorney
2100 Jamieson Avenue
Alexandria, VA 22314
703-299-3700
jay.prabhu@usdoj.gov

/s/
Nina J. Ginsberg, Esquire
VSB # 19472
Counsel for Elaine Robertson Cioni
DiMuroGinsberg, P.C.
908 King Street, Suite 200
Alexandria, VA 22314
Phone: 703-684-4333
Fax: 703-548-3181
nginsberg@dimuro.com